

REMARKS

1. Claims 1 and 3-18 are currently pending. This communication amends claims 1, 6 and 14, and adds claims 19-21.

Reconsideration of this application is respectfully requested.

2. Claims 1 and 3-18 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Application Publication 2003/0220867 A1 to Goodwin et al. (Goodwin) in view of U.S. Patent Application Publication 2002/0099637 A1 to Wilkinson et al. (Wilkinson).

The present invention comprises a method or system for auctioning at least one claim or asset in bankruptcy over a communication network. Goodwin discloses systems and methods for trading or auctioning commercial loans or real assets using a computer network. Wilkinson discloses a process for investing in intellectual property.

To further distinguish the present invention from Goodwin in view of Wilkinson and the present invention, claim 1 has been amended to require: “identifying potential buyers for said at least one claim or asset using at least one of a plurality of factors, the factors comprising previous purchasing behavior, industry links, and market research” and “notifying selected ones of the potential buyers of the availability of said at least one claim or asset.” Claim 14 has been similarly amended. Goodwin in view of Wilkinson do not disclose, teach or suggest these features.

In view of the foregoing, claims 1 and 3-18 are patentable over Goodwin in view of Wilkinson. Accordingly, withdrawal of this rejection is respectfully urged.

3. New claim 19 depends from claim 1 and recites the indicating step originally recited in independent claim 1. Claim 19 is patentable over Goodwin in view of Wilkinson for at least the same reasons set forth for claim 1.

New claim 20 depends from claim 1 and requires matching each of the potential buyers against select marketing criteria after the identifying step and before the notifying step, wherein the select ones of the potential buyers are the potential buyers matching the marketing criteria. New claim 21 depends from claim 14 and requires code for matching each of the potential

buyers against select marketing criteria, wherein the select ones of the potential buyers are the potential buyers matching the marketing criteria. Claims 20 and 21 are patentable over Goodwin in view of Wilkinson for at least the same reasons set forth for claims 1 and 14. In addition, Goodwin in view of Wilkinson do not disclose, teach or suggest the subject matter of claims 20 and 21.

4. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1 and 3-21 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

5. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



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